

Robert Corn-Revere (D.C. Bar No. 375415, admitted *pro hac vice*)
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Avenue NW, Suite 800
Washington, DC 20006-3401
Telephone: (202) 973-4225
Facsimile: (202) 973-4499
Email: robertcornreve@dwt.com

James C. Grant (Wash. Bar No. 14358, admitted *pro hac vice*)
DAVIS WRIGHT TREMAINE LLP
920 Fifth Ave, Suite 3300
Seattle, WA 98104-1610
Telephone: (206) 757-8096
Facsimile: (206) 757-7096
Email: jamesgrant@dwt.com

Counsel for Michael Lacey and James Larkin

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

v.

Michael Lacey, *et al.*,

Defendants.

No. CR-18-422-PHX-SMB

**UNOPPOSED MOTION TO
EXTEND DEADLINE FOR REPLY
TO RESPONSE TO DEFENDANTS'
MOTION TO DISMISS INDICTMENT**

Defendants Michael Lacey, James Larkin, John Brunst and Scott Spear, by and through their undersigned attorneys, respectfully move the Court to extend the deadline for replying to the Government's Response to Motion to Dismiss Indictment for two-weeks, until July 3, 2019. On May 3, 2019, Defendants Michael Lacy, James Larkin, John Brunst, and Scott Spear filed a Motion to Dismiss Indictment (Doc. 561). The Government moved to extend the time to respond to the Motion to Dismiss until June 12, 2019, which request was granted. (Doc. 618) The reason for the government's request was the anticipated filing of amicus briefs supporting Defendants. In its unopposed request, the government indicated it would not oppose a corresponding extension for Defendants' reply. (Doc. 612).

Defendants hereby request a two-week extension of time, and the government has indicated it is not opposed to this motion. In the past week, however, Defendants have been advised counsel for Equality Now and Legal Momentum have expressed an intention to file an amicus brief supporting the government, and counsel for those groups have entered appearances in the case. Defendants have not been advised of when that filing might take place. When that amicus brief is filed, it may be necessary for Defendants to seek a further adjustment of the reply deadline, and possible of the page limit, and will confer with parties at that time.

Therefore, Defendants request that the Court extend the time for their reply to the response to the Motion to Dismiss indictment until July 3, 2019.

DATED this 19th day of June, 2019.

DAVIS WRIGHT TREMAINE LLP

s/ James C. Grant

s/ Robert L. Corn-Revere

Attorneys for Michael Lacey and James Larkin

1 Pursuant to the District's Electronic Case Filing Administrative Policies and
2 Procedures Manual (May 2018) § II(C)(3), James C. Grant hereby attests that
3 all other signatories listed, and on whose behalf this filing is submitted, concur
in the filing's content and have authorized its filing.

4 s/ Paul J. Cambria, Jr.

LIPSITZ GREEN SCIME CAMBRIA LLP
Attorneys for Michael Lacey

6 s/ Thomas H. Bienert, Jr.

7 BIENERT KATZMAN, PLC
8 Attorneys for James Larkin

9 s/ Ariel A. Neuman

10 BIRD MARELLA BOXER WOLPERT NESSIM
11 DROOKS LINCENBERG AND RHOW
Attorneys for John Brunst

12 s/ Bruce Feder

13 FEDER LAW OFFICE PA
14 Attorney for Scott Spear

CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2019, a true and correct copy of the foregoing document was electronically filed with the Clerk of the United States District Court of the District of Arizona by using the CM/ECF system, and that service will be accomplished by the CM/ECF system to all counsel of record.

s/ James C. Grant
Attorney for Michael Lacey and James Larkin

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United States of America,

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Michael Lacey, *et al.*,

Defendants.

No. CR-18-422-PHX-SMB

ORDER

Based on Defendants' Unopposed Motion to Extend Deadline for Reply to Response to Defendants' Motion to Dismiss Indictment, and good cause appearing,

IT IS HEREBY ORDERED granting the motion and extending the deadline for Defendants to reply to the Government's Response to Motion to Dismiss Indictment (Doc. 634) from June 19, 2019, to July 3, 2019.

DATED this ____ day of June, 2019.